



Proposal: Ordinance No. 15-004 <i>An Ordinance Creating Chapter 71 “Street Access Control Ordinance for the Village of Weston”</i>
Proposed By: Keith Donner, Director of Public Works Jennifer Higgins, Director of Planning and Development
Committee Action: PIC on 1/5 and 4/6/15 Plan Commission on 1/12/15 and 4/13/15
Prior Consideration: No prior consideration by the Village Board.
Recommendation: Staff recommends the Village Board approves the new ordinance as proposed. It has been reviewed and approved by Village Attorney Yde.

VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 15-004

AN ORDINANCE CREATING CHAPTER 71 “STREET ACCESS CONTROL ORDINANCE FOR THE VILLAGE OF WESTON”

The VILLAGE BOARD OF THE VILLAGE OF WESTON, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Chapter 71 “Street Access Control Ordinance for the Village of Weston” is hereby created to provide as follows:

CHAPTER 71 STREET ACCESS CONTROL

Article 1: INTRODUCTION

Section 71.1.01: Title

This Chapter shall be known, cited, and referred to as the Village of Weston Street Access Control ordinance, except as referred to herein, where it shall be known as “this Chapter”.

Section 71.1.02: Authority

These policy regulations are adopted under the general authority granted to the Village of Weston pursuant to Wis. Stats. §§ 61.34(1), 83.027(10), 86.04, 86.07(2).

Section 71.1.03: Implementation

- (1) Upon the effective date of this Chapter, no person shall construct, reconstruct, improve, or expand any access providing direct movement to or from any street operated and maintained within the Village, without possession of a permit approved and issued by the Village and other public authorities having jurisdiction.
 - (a) No verbal or other informal approval shall be considered valid.
 - (b) In no event shall access be allowed or permitted if it is determined to compromise public health or safety.
 - (c) Vehicular access to or from any property adjoining any street within the Village of Weston shall be achieved only through an approved access point, designed and constructed in accordance with Village standards and standards of other public authorities having jurisdiction.
 - (d) Upon issuance of a permit, the owner shall perform all work in compliance with the terms of the permit and associated design and construction standards defined in this Chapter.

Sec. 71.1.04: Definitions

As used in this Chapter, the following terms shall have the meanings indicated:

AASHTO

The American Association of State Highway and Transportation Officials.

ACCESS

A means of providing vehicular egress from or ingress to a property, from a street.

AGRICULTURAL AND RECREATIONAL DRIVEWAY ACCESS

An access to agricultural fields, forested land, or other land used solely for agricultural or private recreational purposes.

APPROACH

The portion of a private driveway in the public right-of-way between the street surface and the private property boundary.

CORNER LOT

A lot situated at the junction of and abutting two or more intersecting streets, or a lot at the point of deflection in alignment of a continuous street, the interior angle of which does not exceed 135 degrees.

DIRECTOR OF PUBLIC WORKS

The Director of Public Works for the Village of Weston.

DRIVEWAY

A paved or unpaved pathway upon a property and intended to provide vehicular access to and from a street.

DRIVEWAY ACCESS PERMIT

The Village of Weston Driveway Access Permit.

FUNCTIONAL CLASSIFICATION

A system used to group public streets into classes according to their purpose of vehicular movement and providing land access. Functional classification of the public streets in the Village are defined in the Transportation Chapter of the Conditions and Issues Volume of the Village Comprehensive Plan.

ILLEGAL ENCROACHMENT

An access that was installed or created without following the regulations or permitting process in place at the time of the installation or creation.

PAVED OR PAVEMENT

An artificial impervious surface such as asphalt or concrete used for the final or surface construction layer on streets, sidewalks, driveways, multiuse paths and parking lots.

PUBLIC WAY

Any public sidewalk, road, alley, highway, or other public thoroughfare.

STANDARD AASHTO WB-67 DESIGN VEHICLE

"WB" refers to semitrailers and the number indicates the wheel base length as measured from the front wheel of the truck to the rear-most wheel of the trailer.

STREET

A public or private right-of-way that affords a primary means of vehicular access to abutting properties, whether designated as a street, avenue, highway, road, boulevard, lane, throughway, or however otherwise designated, but excepting driveways to buildings.

STREET, ARTERIAL

A street that serves longer intra-urban trips and traffic traveling through the Village, has limited to no direct access for abutting land uses, and has measured or projected traffic volumes of over 6,000 vehicles per day; or as otherwise may be designated as an arterial street within the Comprehensive Plan or by the Village Board.

Private access may be permitted with limitations imposed by the Village, Marathon County, the Wisconsin Department of Transportation and/or the Federal Highway Administration. The Functional Classification System includes designations as principal and minor arterials.

STREET, COLLECTOR

A street that collects and distributes internal traffic within the Village (such as within a residential neighborhood), provides connections between local and arterial streets and limited restrictions on access for abutting land uses, and has a measured or projected traffic volume of between 1,500 and 8,000 vehicles per day; or as otherwise may be designated as a collector street within the Comprehensive Plan or by the Village Board. The Functional Classification System includes designations as major and minor collectors.

STREET, LOCAL

A street designed to provide access to abutting land uses and leading into a collector or occasionally into an arterial street, but which is not designed to carry through traffic from outside the neighborhood where it is located. Not an arterial street or a collector street.

VILLAGE

The Village of Weston, Marathon County, Wisconsin.

VILLAGE BOARD

The Village of Weston Board of Trustees.

VILLAGE STAFF

Any official employed by the Village of Weston.

ZONING ADMINISTRATOR

Zoning Administrator of the Village of Weston.

Article 2: ADMINISTRATION**Section 71.2.01: Obtaining permit**

- (1) Persons wishing to apply for direct access to a street right-of-way within the Village must submit an application for a Driveway Access Permit issued by the Zoning Administrator. Attached with the Driveway Access Permit shall be any of the following items, if determined necessary by the Village staff:
 - (a) Street access approach plan and profile;
 - (b) Access location sketch, completed by the property owner;
 - (c) Complete drainage plan of the site showing impact to the street right-of-way;
 - (d) Site map detailing utility locations before and after development in and along the street;
 - (e) A subdivision development plan;
 - (f) Property map identifying any other access or abutting streets.
 - (g) A copy of an approval from all other public authorities having jurisdiction over the access.
1. The Marathon County Highway Department issues driveway permits and implements access restrictions on all properties fronting a lettered county street. The County Trunk Highway Access-Driveway Policy may govern the issues that arise with driveway installation. The most restrictive regulations will apply.
2. The Wisconsin Department of Transportation requires a permit for any development that abuts a state trunk highway, enforced under a variety of statutory and administrative

regulations. Access controls can extend to connecting streets in the vicinity of interchanges. The Federal Highway Commission prohibits any driveways on the federal interstate system. The most restrictive regulations will apply.

- (2) As a condition of issuance of the Driveway Access Permit, the owner shall certify that he or she has read and agrees to the terms and conditions of the Driveway Access Permit and Village Code. All new access construction, alteration or manipulation of existing accesses, and all new developments served by an existing nonconforming driveway that has not been previously permitted are subject to the Driveway Access Permit requirement.
- (3) A Driveway Access Permit does not require an additional excavation permit, however all provisions of Chapter 70, Streets, Sidewalks, and Other Public Places; Article II. Excavations, shall apply to work within the roadway.

Section 71.2.02: Fees

Fees for Driveway Access Permits shall be set by the Village Board.

Section 71.2.03: Variance

- (1) If there is a practical difficulty or particular hardship in carrying out the provisions of this Chapter, the applicant may obtain a variance through application. A variance shall require approval of both the Zoning Administrator and the Director of Public Works, and may only be granted when the applicant can successfully demonstrate that:
 - (a) The additional access would not compromise the safety of street users or the operation of the street.
 - (b) Limiting access points to the maximum number normally allowed for the parcel would conflict with established local safety regulations.
 - (c) The additional access would not be detrimental to the public health and safety.
 - (d) The purpose of the variance is not based exclusively upon a desire to make more money from the property.
 - (e) The conditions upon which a petition for a variation is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same vicinity or zoning classification.
 - (f) The alleged difficulty or hardship is caused by this Chapter and has not been created by any persons presently having an interest in the property
- (2) Any variance denied by Village staff may be appealed to the Village Plan Commission.

Section 71.2.04: Construction of access

- (1) The anticipated dates of construction shall be included in the application. The owner shall notify the Village at least 48 hours prior to any activity within the street right-of-way. The access shall be completed in a timely and safe manner, within the time schedule identified in the Driveway Access Permit. The Village will perform inspection of the construction process, and of the completed access, to ensure that all Driveway Access Permit terms and conditions are met.
- (2) The construction of the access and its appurtenances, as required by the terms and conditions of the Driveway Access Permit, shall be completed at the expense of the owner.
- (3) The Village may order a halt to any unauthorized access construction or use. A copy of the Driveway Access Permit shall be available for on-site review at all times. The Village may order minor amendments to address site-specific conditions. Any ordered amendments may be appealed to the Village Plan Commission.
- (4) Permits issued under this Chapter shall be deemed expired and void if the construction of the access has not been completed before the expiration date identified in the Driveway Access Permit. The owner may request an extension from the Village, provided the request is submitted to the Village prior to the Driveway Access Permit expiration date.

Section 71.2.05: Final inspection

- (1) Upon the completion of any authorized access construction, the owner shall request from the Village a final inspection of the installation.
- (2) The owner shall perform, at the owner's expense, any correction or modification determined necessary by the Village.
- (3) Failure to complete construction and request final inspection within one year of the date of application shall be considered abandonment of the access and shall result in termination of the Driveway Access Permit.

The owner shall reimburse the Village for any costs and expenses incurred by the Village to remove the access and to restore the public right-of-way to its original condition if an access construction is not completed in a timely fashion pursuant to the terms and conditions of a properly obtained Driveway Access Permit issued pursuant to this Chapter. Such costs and expenses shall be assessed against the real estate as a special charge.

Section 71.2.06: Location of utilities

Locating and protecting all existing utility installations on or near the proposed driveway will be the sole responsibility of the owner. It is the owner's responsibility to coordinate the relocation, adjustment, and/or repair of utility facilities which are in conflict with construction. The owner will also be responsible for any costs associated with such work. The owner is also encouraged to anticipate future utility service needs to the property under the "Dig Once" policy described in the Village Comprehensive Plan.

Section 71.2.07: Change in use

It is the responsibility of the owner to ensure that the use of the access remains in accordance with the permitted uses allowed in the duly issued Driveway Access Permit. Any change in use different from the original permitted intent shall render the permit void. The terms and conditions of the Driveway Access Permit are binding upon all owners, assigns, successors-in-interest and heirs.

Section. 71.2.08: Existing access

- (1) It is the intent, and shall be the practice, to apply the provisions of this policy to new accesses onto street rights-of-way and to existing accesses only as defined herein.
- (2) An access to a street right-of-way within the Village that was appropriately established (in compliance with the regulations in place at the time of construction) prior to the adoption of this Chapter will be grandfathered and allowed to remain as is, provided that:
 - (a) The access is operated and maintained as to not bring the access into further nonconformance with this Chapter.
 - (b) The access provides the same function and capacity as exists at the time of the adoption of this Chapter.
 - (c) The access does not compromise the safety of roadway users.
- (3) When any change occurs which brings the access into noncompliance with Sec. 71.2.08(2) the reconstruction or relocation of the access shall be required. The owner shall be responsible for all costs associated with reconstruction or other modification of the access and shall apply for a Driveway Access Permit, in advance of those activities.

Section 71.2.09: Illegal encroachment

- (1) The Village shall remove or cause the removal of any illegal encroachment not specifically permitted under the provisions of this Chapter. The owner shall be sent a written notice of any illegal encroachment, access location, or use and given ten days to remove the illegal encroachment and restore the public right-of-way to its original condition, after which the Village may install barriers across or remove any access not in compliance with this Chapter.
- (2) In the event the illegal encroachment presents an immediate hazard to the general public, the Village has the authority to remove the illegal encroachment without any notification.
- (3) The owner shall reimburse the Village for any costs and expenses incurred by the Village to remove the illegal encroachment and restore the public right-of-way to its original condition. Such costs and expenses shall be assessed against the real estate as a special charge.

Section 71.2.10. Conformance of subdivisions

Upon the effective date of this Chapter, no person(s) may submit an application for the division of property abutting a street unless the associated subdivision plat or certified survey map provides that all parcels created by the subdivision will have access to the street in conformance with this Chapter and the Village of Weston Subdivision Regulations Chapter 74.

Article 3: ACCESS CONTROL STANDARDS FOR DRIVEWAYS

Section 71.3.01: Driveway access control

By enforcing standards on access points to private property, the following standards establish levels of access control based on the functional classification of the abutting street. The functional classification accounts for use levels, potential conflicts, urban and rural landscapes, amongst other elements. In general, it is intended to separate driveways from each other as much as possible. Consideration may be given to access locations where site specific restrictions, both environmental and built, may limit compliance with these standards. Corner lots and lots that adjoin multiple streets shall only be granted access to the street with the lower functional classification. When a dimension is provided, the separation of access points is measured from the center line of the approach.

(1) Standards for all access.

(a) These requirements intend that with posted speeds, access points will align or offset at the suggested distance or greater from all existing or proposed access points.

(b) Restrictions based on street functional classification.

1. Arterial street access. Private access may be controlled and may even be prohibited on an arterial street and any street that intersects with an arterial street by the Village, the Wisconsin Department of Transportation, Marathon County Highway Department or the Federal Highway Administration. When access is allowed to an arterial street:
 - a. No more than one access shall be permitted or provided to an individual parcel, or contiguous parcels under the same ownership.
 - b. All private access and other direct access to an arterial street shall be separated to the extent practical based on lot dimensions and existing or proposed development plans.
 - c. All accesses must comply with off-street parking and traffic circulation design standards surfacing requirements in Section 94.12.09(6)(a).
 - d. Subdivisions, land divisions, and condominium developments shall be designed in such a manner that there shall be no direct access to an arterial street from newly created lots.
2. Collector street access.

- a. No more than one access shall be permitted or provided to an individual parcel, or contiguous parcels under the same ownership.
 - b. All private access and other direct access to a collector street shall be separated to the extent practical based on lot dimensions and existing or proposed development plans.
 - c. All accesses must comply with off-street parking and traffic circulation design standards surfacing requirements in Section 94.12.09(6)(a).
 - d. Subdivisions, land divisions, and condominium developments shall be designed in such a manner to discourage direct access to a collector street from newly created lots.
3. Local street access.
- a. No more than one direct access to a local street will be permitted or provided to each individual parcel, or two contiguous parcels under the same ownership.
 - b. All private access and other direct access to any local street shall be separated to the extent practical based on lot dimensions and existing or proposed development plans.
 - c. All private accesses off of a paved road must comply with off-street parking and traffic circulation design standards surfacing requirements in Section 94.12.09(6)(a).

(c) Additional requirements for commercial/industrial access.

1. The appropriate separation distance is dependent upon several criteria, including:
 - a. The posted speed limit and design speed of the street;
 - b. The design vehicle anticipated to use the approach;
 - c. Daily use levels; and
 - d. The width and turning radius of the access.
2. Commercial and industrial access points shall be limited to access points necessary to serve the property and shall be reviewed by the appropriate site plan approval authority under Chapter 94 through the site plan review process.
3. Commercial and industrial access points shall be constructed to support Standard AASHTO WB-67 design vehicle. Interconnected driveways and parking lots are encouraged in commercial and industrial developments.
4. One direct access point to a street will be permitted for each commercial or industrial property.
 - a. Contingent upon the site plan approval, a multi-access, looping route may be permitted where seen fit in supporting the needs of the establishment.

b. Increased separation distances may be allowed or required by the exercise of reasonable judgment of the Zoning Administrator and Director of Public Works.

(d) Additional requirements for agricultural and recreational driveway access.

1. Access to agricultural and private outdoor recreational land where oversize vehicles may enter the street right-of-way shall be considered in this classification. The owner shall provide an access design consistent with adopted street design standards. The access shall be designed for the largest vehicle anticipated to use the access. All agricultural and recreational driveway access off of a paved street must provide a minimum of a gravel approach extending from the existing street surface to the right-of-way line.
2. The driveway access must comply with Village of Weston Ordinance Section 70.102 in regards to depositing debris onto the public street.

Article 4: SPACING STANDARDS FOR STREETS

Section 71.4.01: Street intersection spacing

By enforcing standards on street intersection spacing, the following standards establish levels of access control based on the functional classification of the Vstreets. The functional classification accounts for use levels, potential conflicts, urban and rural landscapes, amongst other elements. In general, it is intended to separate access points from each other as much as possible. These are considered to be minimum standards. Consideration may be given to locations where site specific restrictions, both environmental and built, may limit compliance with these standards. The separation of intersections is measured from the center line of the street.

- (1) Arterial street. All intersections involving one or more arterial streets shall be separated by a minimum of 1,320 feet.
- (2) Collector street. All intersections involving collector streets or a combination of collector and local streets, shall be separated by a minimum of 750 feet.
- (3) Local street. All intersections involving only local streets shall be separated by a minimum of 250 feet.

Article 5: ACCESS DESIGN STANDARDS AND SPECIFICATIONS FOR DRIVEWAYS

Section 71.5.01: Driveway access design

All access onto streets shall be designed and located in accordance with the standards established in this Chapter. The design of all accesses shall be consistent with the adopted street design standards or the standards established by the Village Board.

(1) Width of access.

Use	Width at Property Line	Width at Street
Single-family residential with one access drive and Two-family residential with two access drives	10 feet to 24 feet	18 feet to 30 feet
Two-family residential with common drive	20 feet to 32 feet	26 feet to 38 feet
Multi-family Residential/Commercial/industrial	24 feet to 40 feet	Based on largest vehicle anticipated to use access
Agriculture/recreation	Based on largest vehicle anticipated to use access	

- (2) Grade. The maximum acceptable grade shall not exceed 10%. Under certain circumstances, which must be defined and presented to the Village Board by the Director of Public Works or Zoning Administrator prior to the meeting/hearing on the proposal, the Village may require that the access point grade shall not exceed 6%.
- (3) Clearance. All driveways shall provide a driveway corridor at least 12 feet wide with no tree branches or brush extending into the driveway corridor to a height of 15 feet.
- (4) Bridges. All driveways that utilize bridges shall construct all bridges to support a gross vehicle weight of 50,000 pounds with a minimum twelve-foot wide clear travel surface.
- (5) Driveway approach construction standards.
- (a) Standards for gravel. Require a minimum six inches of three-quarter-inch crushed aggregate base course.
 - (b) Standards for asphalt. Minimum of two-and-one-half-inch compacted depth of surface mix over six-inch compacted three-quarter-inch crushed aggregate base course; no pea gravel allowed.
 - (c) Standards for concrete.
 - 1. Forms in the approach are to be a minimum of six inches in depth.
 - 2. Concrete to be a minimum six-bag mix.
 - 3. Expansion joints six inches by 1/2 inch required between curb and driveway approach, or as directed.
 - 4. Concrete approaches are required where there is existing curb and gutter and sidewalk or where sidewalk is proposed in the future.
 - 5. Driveway approaches require a minimum concrete thickness of six inches and four-inch compacted three-quarter-inch crushed aggregate base course (no pea gravel allowed).
 - 6. In the absence of curb and gutter, concrete approaches are prohibited.

(6) Brick pavers and decorative concrete in driveway approach.

- (a) If the driveway constructed in the public right-of-way is of brick paver/decorative concrete/embossed or colored asphalt it will be the owner's sole responsibility to maintain, repair, and replace if necessary, due to any damage by the Village or other public agencies, or due to normal wear.

(7) Alignment. All driveways shall be constructed within 10° of perpendicular to the accessed street center line for the first 20 feet of the access.

- (a) Where possible, driveways should align on opposite sides of the street.
- (b) A variance is required for unique or site-specific limitations that may exist which restrict the applicant from complying with these dimensional requirements. A variance may not be granted for any driveway that intersects the street at less than 60° under any circumstances.

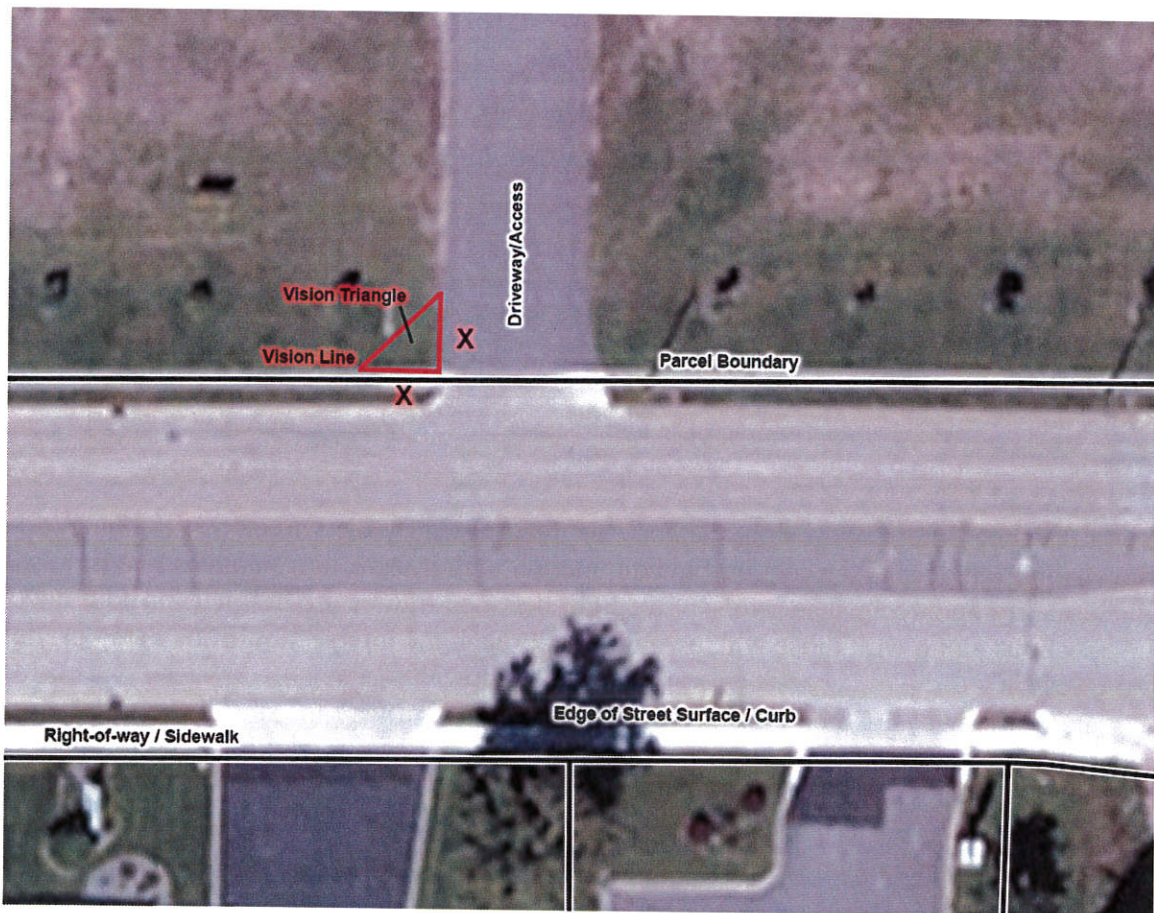
(8) Vision triangle.

- (a) No visual obstruction shall be located within a vision triangle, or the space formed by two existing or proposed right-of-way lines and/or a right-of-way to a private driveway. No structure or sign may be placed in the clear area of a vision triangle. The clear area extends from 18 inches to 10 feet above from the average height of the right-of-way elevation of the adjoining streets and/or an existing or proposed access/driveway. These constraints are depicted by Figure 71.5.01A.
- (b) Vision triangle clearance distance measured from the edge of Right-Of-Way of the intersecting street and the edge of the paved or aggregate driveway surface. Figure 71.5.01B depicts the vision triangle and distances based on the functional classification of streets being accessed.

Figure 71.5.01A.
Vertical Clear Sight Area



**Figure 71.5.01B.
Vision Triangle Diagram**



Distance 'X' Varies by Street Type:

- a. 10' for Local Urban and Rural Streets (All Non-residential uses)
- b. 15' for Collector Streets
- c. 20' for Arterial Streets

- (9) Sight distance. Permits shall not be issued for access that allows any turning movement where the sight distance is not sufficient to provide for the safe and efficient traffic flow entering or exiting a street, or encountering the access while upon the street.
- (a) These sight distance standards make assumptions based on observed tendencies among motorists: a driver's eye height being 3.5 feet above the access surface and the object to be seen being 3.5 feet above the intersecting street surface.
 - (b) The standards are defined for a two-lane street that is maintained all four seasons.
- (10) Corner clearance.
- (a) Functional area. The intersection of two streets contains a functional area beyond the physical intersection that contains decision and maneuvering distance. To reduce conflict and promote safety, driveways must be located outside of this functional intersection area. Locate all

driveways and access points as far as practical from the intersection of two intersecting rights-of-way. Driveway access is restricted in turning lanes, which are also located in the functional area of an intersection.

**Figure 71.5.01C.
Setback Distance From Intersection**

Street Functional Type	Setback from Intersection (feet)
Signalized intersection	
Local (rural/urban)	75
Collector	150
Arterial	200
Non-signalized Intersection	
Local (rural/urban)	90
Collector	200
Arterial	300

- (b) Sight distance. Intersection sight distance, as determined by the Director of Public Works, using the vision triangle shall be required in conjunction with intersection setbacks to ensure safety and functionality on streets. The intersection sight distance figures are defined for both uncontrolled intersections along with those where vehicles approach the intersection from a stop or yield.
- (11) Common driveways. Common driveways are an effective way to control the number of access points on to collector and arterial streets. When a common driveway is utilized the following apply:
- (a) A common driveway easement of at least 30 feet in width shall be located on the common boundary between the two lots.
- (b) If located off a paved street in the AR, or Rural Residential Zoning districts and not required to be completely paved, the owner must meet the requirements for surfacing defined in Sec. 94.12.09(6)(a) of the Zoning Ordinance.

Article 6: ACCESS DESIGN STANDARDS AND SPECIFICATIONS FOR STREETS

Section 71.6.01: Street access design

All streets shall be designed and located in accordance with the standards established in this Chapter. The design of all accesses shall be consistent with the adopted street design standards or the standards established by the Village Board.

- (1) Alignment. New streets shall abut other streets within 2° of perpendicular to the accessed street centerline for the first 60 feet of the street.
- (a) Where possible, streets shall align on opposite sides of the street. Where offset access is needed due to certain site limitations, the same spacing criteria should be followed to ensure reduced conflict and safe left turning onto the street.

- (b) A variance is required for site-specific limitations that may exist which restrict the applicant from complying with these dimensional requirements.

(2) Vision triangle.

- (a) No visual obstruction shall be located within a vision triangle, or the space formed by two existing or proposed right-of-way lines and/or a right-of-way to a private driveway. No structure or sign may be placed in the clear area of a vision triangle. The clear area extends from 18 inches to 10 feet above from the average height of the right-of-way elevation of the adjoining streets and/or an existing or proposed access/driveway. These constraints are depicted by Figure 71.6.01A.
- (b) Vision triangle clearance distance measured from the edge of the Right-Of-Way of the intersecting streets. Figure 71.6.01B depicts the vision triangle and distances based on the functional classification of streets being accessed.

Figure 71.6.01A
Vertical Clear Sight Area

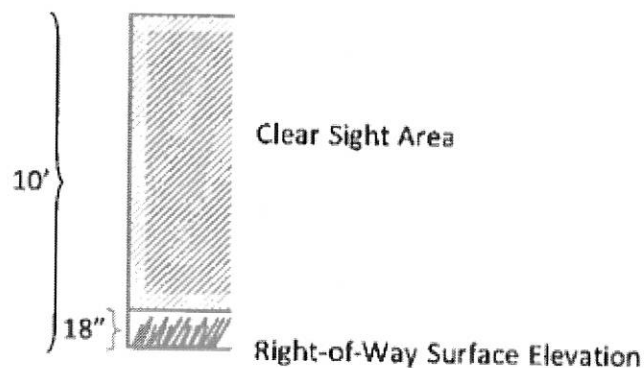
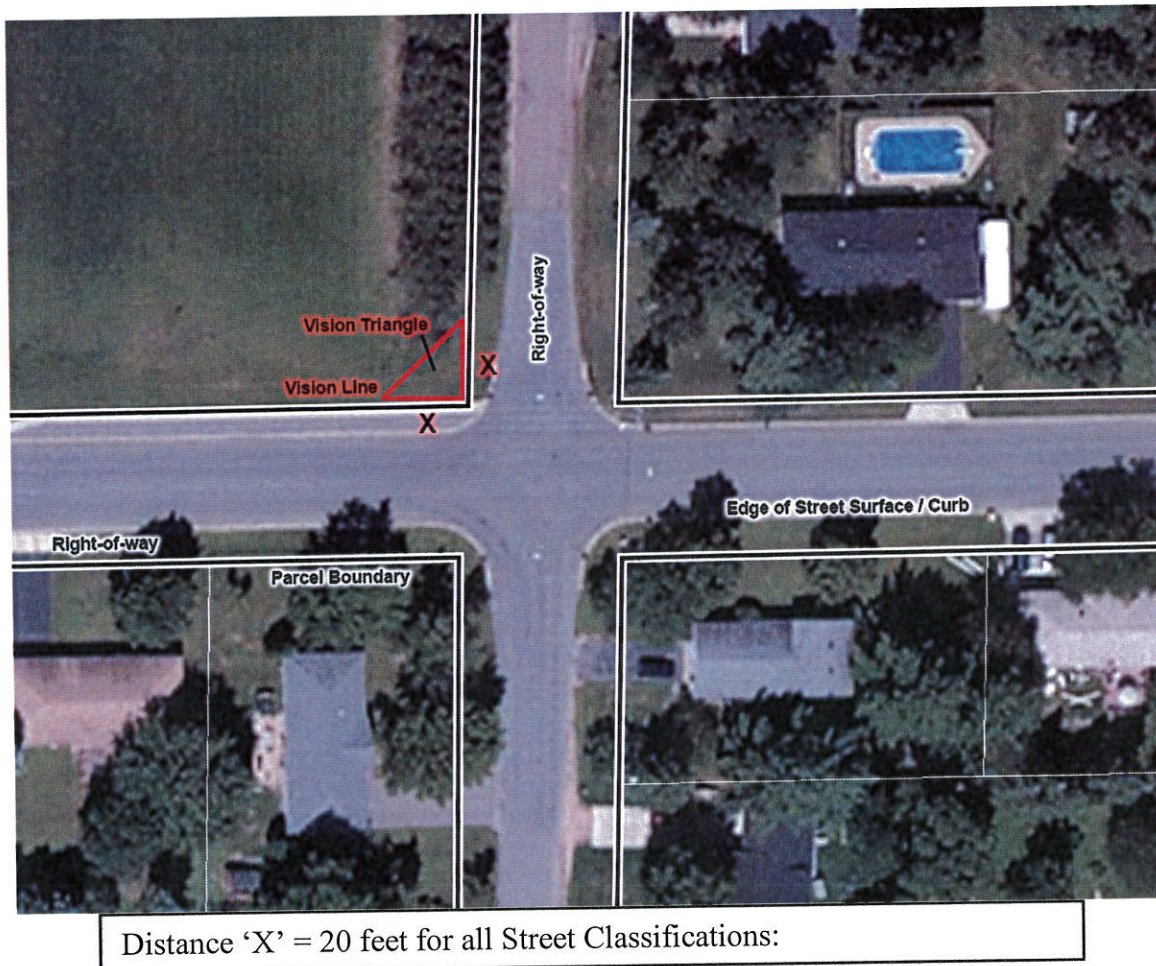


Figure 71.6.01B. Vision Triangle Diagram



(3) Sight distance

- (a) Permits shall not be issued for streets that allow any turning movement when the sight distance is not sufficient to provide for the safe and efficient traffic flow entering or exiting a street, or encountering the access while upon the street.
 - 1. These sight distance standards make assumptions based on observed tendencies among motorists: a driver's eye height being 3.5 feet above the access surface and that the object to be seen being 3.5 feet above the intersecting street surface.
 - 2. The standards are defined for a two-lane street that is maintained all four seasons.
- (b) The owner shall be responsible for clearly demonstrating that the proposed street location conforms to the sight distance standards set forth in this Chapter.
 - 1. In the event that it is impractical to remove, alter, or relocate an object affecting the sight distance, the Village Board may require the installation of traffic control devices or design features to remedy the issue.

2. At the discretion of the Village Board, a proposed street with site-specific sight distance issues may be further reviewed by Village staff, at the expense of the owner. It may be to the benefit of the owner that a licensed engineer should provide a sight distance design of the access proposal.

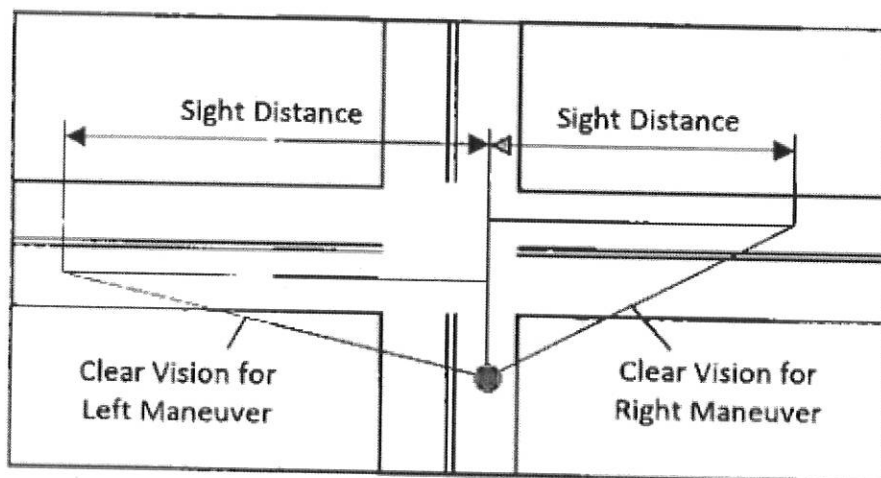
Table 71.6.01C. Minimum Sight Distance for Uncontrolled Intersections

Posted Speed (miles per hour)	Minimum Sight Distances (feet)
30 and under	140
35	165
40	195
45	220
50	245
55	285

Table 71.6.01D. Minimum Sight Distances Based on Vehicle Maneuver

Vehicle Speed (miles per hour)	Stopping Sight Distance for Left-Turn Maneuver (feet)	Stopping Sight Distance for Crossover and Right- Turn Maneuvers (feet)
25	280	240
30	335	290
35	390	335
40	445	385
45	500	430
50	555	480
55	610	530

Figure 71.6.01E. Sight Distance Diagram



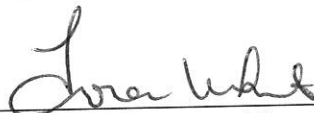
- (c) Sight distance. Intersection sight distance, as determined by the Director of Public Works, using the vision triangle shall be required in conjunction with intersection setbacks to ensure safety and functionality on streets. The intersection sight distance figures are defined for both uncontrolled intersections along with those where vehicles approach the intersection from a stop or yield.

SECTION 2: SEVERABILITY. If any section, clause, provision, or portion of the newly created Chapter 71 is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of Chapter 71 shall not be affected thereby. If an application of Chapter 71 to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under Chapter 71 is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

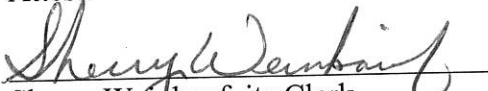
SECTION 3: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

WESTON VILLAGE BOARD

By:


Loren White, its President

Attest:


Sherry Weinkauff, its Clerk

RECOMMENDED FOR APPROVAL BY THE PLAN COMMISSION: 4/13/2015

APPROVED: 4/20/15

PUBLISHED: 4/22/15

Notice of Newly Enacted Ordinance

Please take notice that the Village Board of Weston, Wisconsin enacted on April 20, 2015, Ordinance No. 15-004: An Ordinance Creating Chapter 71 "Street Access Control Ordinance for the Village of Weston".

The full text of Ordinance No. 15-004 may be obtained at the office of the Village Clerk, 5500 Schofield Avenue, Weston, Wisconsin or through the Village's website at <http://www.westonwi.gov>.

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VILLAGE OF WESTON
REQUEST FOR CONSIDERATION

AGENDA ITEM DSCRPTN: ORDINANCE NO. 15-004 *AN ORDINANCE CREATING CHAPTER 71 "STREET ACCESS CONTROL ORDINANCE FOR THE VILLAGE OF WESTON".*

FOR CONSIDERATION AT: BOARD OF TRUSTEES; MONDAY, APRIL 20, 2015

LEGISLATION TYPE: ACKNOWLEDGE | MOTION | **ORDINANCE** | POLICY | RESOLUTION

RECOMMENDATION TO: Approve Ordinance No. 15-004 *An Ordinance Creating Chapter 71 "Street Access Control Ordinance for the Village of Weston"*

REPORT PREPARED BY: KEITH DONNER; DIRECTOR OF PUBLIC WORKS
 JENNIFER HIGGINS; DIRECTOR OF PLANNING & DEVELOPMENT

BACKGROUND: During the recent Zoning Code Project, MD Roffers recommended the Village adopt a Roadway Access Control Ordinance similar to one the Village of Kronenwetter has on its books. Staff reviewed Kronenwetter's Chapter 419 *Roadway Access Control* and used it as a basis to create our own ordinance which we are recommending be created as Chapter 71. Chapter 71 was previously unused and reserved for future use.

 The Village Public Infrastructure Committee (PIC) and Plan Commission (PC) previously reviewed the ordinances at their meetings in January. At that time the PC postponed action on this draft ordinance at their 1/12/15 meeting because they had a number of questions they wanted answered prior to them recommending its approval to the Board so they referred it back to staff for additional work. Over the last few months, Staff worked with M. Roffers and Attorney Yde to address the concerns of the Commission and make sure the ordinance was consistent with the new Zoning Code.

 Enclosed in your packet is the final draft of the ordinance as recommended by the Plan Commission and reviewed by the Village Attorney.

FISCAL IMPACTS:

Budget Line Item: _____

Budget Line Item: _____

Budgeted Expenditure: _____

Budgeted Revenue: _____

STATUTORY REFERENCES:

Wisconsin Statue: *Wis. Stats. §§ 61.34(1), 83.027(10), 86.04, 86.07(2)*

Administrative Code: _____

Municipal Code: _____

Judicial Ruling: _____

FURTHER REVIEW:

REVIEWED AND APPROVED BY PIC ON 1/5/15 AND 4/6/15
REVIEWED AND ACTION TO POSTPONE AND SEND BACK TO STAFF TAKEN BY
PLAN COMMISSION ON 1/12/15
REVIEWED AND APPROVED BY PLAN COMMISSION ON 4/13/15

**VILLAGE OF WESTON
REQUEST FOR CONSIDERATION**

AGENDA ITEM DSCRPTN: CREATION OF CHAPTER 71 STREET ACCESS CONTROL.

FOR CONSIDERATION AT: PLAN COMMISSION; MONDAY, APRIL 13, 2015

LEGISLATION TYPE: ACKNOWLEDGE | **MOTION** | ORDINANCE | POLICY | RESOLUTION

RECOMMENDATION TO: Recommend to the Board of Trustees the creation of Chapter 71 *Street Access Control*.

REPORT PREPARED BY: JENNIFER HIGGINS; DIRECTOR OF PLANNING & DEVELOPMENT
KEITH DONNER; DIRECTOR OF PUBLIC WORKS

BACKGROUND: The Village Plan Commission previously looked at and postponed action on this draft ordinance at their 1/12/15 meeting. The Commission had a number of questions they wanted answered prior to them recommending its approval to the Board so they referred it back to staff for additional work. The minutes from the 1/12/15 meeting are attached. Staff worked with M. Roffers to address the concerns of the Commission and make sure the ordinance was consistent with the new Zoning Code. This ordinance was recommended to be created by MDRoffers as it is referenced in the new Zoning Code.

Enclosed in your packet is a clean draft ordinance and for those that wish to see the changes made, one with mark-up shown.

This ordinance has been previously reviewed and recommended for Board approvals by the PIC at their meetings on 1/5/15 and 4/6/15. The Village Attorney is also reviewing and any changes he requests will be made prior to the ordinance going to the Village Board.

FISCAL IMPACTS:

Budget Line Item: _____

Budget Line Item: _____

Budgeted Expenditure: _____

Budgeted Revenue: _____

STATUTORY REFERENCES:

Wisconsin Statue: Wis. Stats. §§ 61.34(1), 83.027(10), 86.04, 86.07(2)

Administrative Code: _____

Municipal Code: _____

Judicial Ruling: _____

FURTHER REVIEW: REVIEWED AND APPROVED BY PIC ON 1/5/15 AND 4/6/15
REVIEW BY VILLAGE BOARD ON 4/20/15
